

REMARKS

The undersigned thanks Examiner DEO for the courtesies extended during the interview of September 8, 2009. During the interview, the undersigned explained to the Examiner that Wegner is cumulative in light of AT408987B (AT '87B). The Examiner agreed. During the interview, the undersigned explained that neither AT '87B nor Eriksson disclose carbonates. Instead, Eriksson discloses percarbonates. The undersigned also explained that adding percarbonates to the composition of AT '87B (which is also assigned to the assignee of the pending application), would destroy the composition of AT '87B for its intended purpose. The Examiner suggested that the undersigned make these arguments for the record.

Christian THONHAUSER is being added as a co-inventor on this application under 37 CFR 1.48(c) "*Nonprovisional application-inventors added for claims to previously unclaimed subject matter*" as the newly added claims contain subject matter by Christian THONHAUSER.

Claim 1 has been amended to clarify that the second oxidant has an oxidation potential that exceeds that of a mixture containing 50 mol% manganese VII and 50 mol% manganese VI. For example, in the Pourbaix diagram of Figure 1, the region in the oxidation potential versus pH chart above line  $\text{MnO}_4^-/\text{MnO}_4^{--}$  represents an oxidation potential that exceeds that of a mixture containing 50 mol% manganese VII and 50 mol% manganese VI. No new matter has been added.

Newly added claims 18-29 are supported by original claims and the specification as follows:

Claim 18 – original claim 11;

Claim 19 – original claim 3;

Claim 20 – paragraph [0007] of US 12007/1012665 (US '665) (US publication of the pending application);

Claim 21 – paragraphs [0058] and [0062] of US '665;

Claim 22 -25 – Examples 1 and 2 of US '665;

Claims 26-29 – paragraphs [0036] and [0037] of US '665.

REJECTION UNDER 35 U.S.C. § 103

Claim 1-17 stand rejected under 35 U.S.C. § 103 as being unpatentable over AT408987B (hereinafter "AT") and further in view of Eriksson, WO 98/42812, and Wegner, U.S. Patent Publication No. 2003/0151024.

This rejection is respectfully traversed.

Foremost, as explained above, neither AT '87B nor Eriksson disclose carbonates. Instead, Eriksson discloses percarbonates. Persons of ordinary skill in the art would readily recognize that carbonates do not encompass percarbonates.

In chemistry, a carbonate is a salt or ester of carbonic acid, characterized by the presence of the carbonate ion or a carbonate functional group O=C(O<sup>-</sup>)<sub>2</sub>. See <http://en.wikipedia.org/wiki/Carbonate>. On the other hand, percarbonate is

perhydrates of carbonate compounds. See [en.wiktionary.org/wiki/percarbonate](http://en.wiktionary.org/wiki/percarbonate). However, a perhydrate of a carbonate compound is not a carbonate compound; instead, it is a reaction product of a carbonate and hydrogen peroxide. For example, water is an oxide of hydrogen formed as a reaction product of hydrogen and oxygen, but it is neither hydrogen nor oxygen. Similarly, percarbonate is neither carbonate nor hydrogen peroxide. Applicants respectfully submit that nowhere does <http://en.wikipedia.org/wiki/Carbonate> even mention percarbonate as a member of the carbonate family.

Furthermore, adding percarbonates to the composition of AT '87B, would destroy the composition of AT '87B for its intended purpose. Hydrogen peroxide added in the form of percarbonates gives rise to an electrochemical potential below the claimed oxidation potential of the second oxidant whose oxidation potential exceeds that of a mixture containing 50 mol% manganese VII and 50 mol% manganese VI. The addition of percarbonates would lead to the immediate and irreversible reduction of the first oxidant comprising a water-soluble permanganate, thereby causing the formation of Mn II (dissolved or solid) and Mn IV (solid) such that composition of AT '87B would be destroyed for the purposes of being a powerful oxidizing cleaner and for causing a color change on contact with an external organic substance.

CLAIM OBJECTION UNDER 37 C.F.R. § 1.75

Claims 3-8 and 13-15 stand objected to under 37 C.F.R. § 1.75 as being in improper form because of multiple dependent claims.

Applicant amended Claims 3-8 and 13-15 by way of a Preliminary Amendment, filed with instant Applicant on May 8, 2009, removing the multiple claim dependencies of Claims 3-8 and 13-15. Accordingly, the objection to Claims 3-8 and 13-15 under 37 C.F.R. § 1.75 has been rendered moot.

REJECTION UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

Claims 16 and 17 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. This rejection is moot as claims 16 and 17 have been canceled.

CONCLUSION

Consequently, in view of the foregoing amendment and remarks, it is respectfully submitted that the present Application is patentably distinguished over the prior art, in condition for allowance, and such action is respectfully requested at an early date.

Respectfully submitted,

Dated: September 8, 2009

By: /Raj S. Dave/

Raj S. Davé  
Registration No.: 42,465  
Attorney for Applicant(s)

Customer No. 00909  
PILLSBURY WINTHROP SHAW PITTMAN LLP  
P.O. Box 10500  
McLean, VA 22102  
Telephone: 703-770-7900  
Facsimile: 703-770-7901